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5	Attorney for Plaintiffs			
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8	UNITED STATES DISTRICT COURT			
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
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11	TERRENCE DAVIS, on behalf of himself) CIVIL ACTION No.: 3:06-CV-6108 MHP			
12	and all others similarly situated,			
13	Plaintiffs,) [PROPOSED] ORDER AND) STIPULATION FOR FURTHER) SUSPENDING LITICATION FOR			
14	v.) SUSPENDING LITIGATION FOR) DEFENDANT'S REVIEW OF			
15	MICHAEL J. ASTRUE, Commissioner of the Social Security Administration,			
16	Defendant)			
17)			
18	The parties stipulate that the current dates to amend the Second Amended Complaint and			
19	The parties stipulate that the current dates to amend the Second Amended Complaint and			
20	file the Motion for Certification of Class Action (Doc. No. 77) be extended for an additional			
21	forty-five (45) days to November 10, 2008 , and to November 18, 2008 , respectively. Defendant will file its responsive pleading to Plaintiff's amended complaint and opposition to motion for certification no later than January 12, 2009 . Plaintiff's reply brief in support of his motion for			
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24	class certification will be filed no later than January 20, 2009 .			
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	[PROPOSED] ORDER AND STIPULATION FOR FURTHER SUSPENDING LITIGATION FOR DEFENDANT'S REVIEW OF PLAINTIFFS' OFFER OF SETTLEMENT			

- 1 - 06-CV-6108 MHP

1	The hearing date for the motion for class certification will be noticed for February 2 ,		
2	2009. If there is a motion to dismiss the amended complaint filed, it will be noticed for		
3	February 2, 2009.		
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5	This request is made because both	Plaintiffs and Defendant hereby represent to this Cour	
6	that they are proceeding in good faith on settlement proceedings, which was initiated by		
7	Plaintiffs on July 15, 2008, and responded to by Defendant on August 29, 2008.		
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9		Respectfully submitted,	
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11		/s/	
12	Date: September 2, 2008	Steven Bruce, Attorney for Plaintiffs	
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14		/s/	
15	Date: September 2, 2008	Andrew Cheng, Attorney for Defendant	
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[PROPOSED] ORDER AND STIPULATION FOR FURTHER SUSPENDING LITIGATION FOR DEFENDANT'S REVIEW OF PLAINTIFFS' OFFER OF SETTLEMENT

[Proposed] Order

The Court, having considered the stipulation of the parties, hereby orders that:

- The time for Plaintiffs to file an amended complaint be extended to November 10,
 2008;
- 2. The time for Plaintiffs to file the Motion for Certification of Class Action be extended to **November 18, 2008**;
- 3. The time for Defendant to file a responsive pleading to Plaintiffs' amended complaint will be no later than **January 12, 2009**;
- 4. The time for Defendant to file its Opposition to Plaintiffs' Motion for Certification of Class Action to be no later than **January 12, 2009**;
- 5. Plaintiff's reply brief in support of his motion for certification will be due on **January 20, 2009**; and
- 6. The hearing dates for the motion for class certification and for any motion to dismiss filed by defendant will be **February 2, 2009**.

IT IS SO ORDERED.

Date: <u>9/3/2008</u>



[PROPOSED] STIPULATION FOR SUSPENDING LITIGATION FOR DEFENDANT'S REVIEW OF PLAINTIFFS' OFFER OF SETTLEMENT